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Secretary Zinke Submits 45-Day Interim Report on Bears Ears National Monument and Extends Public Comment Period

WASHINGTON - U.S. Secretary of the Interior Ryan Zinke submitted a 45-day interim report on Bears Ears National Monument to President Donald J. Trump on Saturday, June 10, 2017, in accordance with the April 26, 2017, [Executive Order](#) (EO). The order directs the Secretary to review monuments designated under the Antiquities Act between January 1, 1996, and the present date that are 100,000 acres or more in size, or any monument the Secretary deems to have been created without appropriate public input. The EO also directs the Secretary to submit an interim report regarding Bears Ears specifically to the President no more than 45 days from the date of the EO.

The EO states: "Within 45 days of the date of this order, the Secretary shall provide an interim report to the President... The interim report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order."

"I spent a lot of time on the ground in Utah, talking with people and understanding the natural and cultural significance of the area. There is no doubt that it is drop-dead gorgeous country and that it merits some degree of protection, but designating a monument that - including state land - encompasses almost 1.5 million-acres where multiple-use management is hindered or prohibited is not the best use of the land and is not in accordance with the intention of the Antiquities Act," said Secretary Zinke. "I've submitted my 45-day interim report to President Trump expressing my belief that the monument needs to be right-sized and that it is absolutely critical that an appropriate part be co-managed by the Tribal nations. I also recommend that Congress take action to protect some areas."

Regarding ongoing management and consultation with Tribal interests, Secretary Zinke said: "Co-management will be absolutely key going forward and I recommend that the monument, and especially the areas of significant cultural interest, be co-managed by the Tribal nations. I am grateful representatives from the Tribal governments met with me in Utah and am

optimistic for our future.”

In May, Secretary Zinke traveled to Utah and held a four-day listening tour across the state to learn more about Bears Ears National Monument and the neighboring Grand Staircase-Escalante National Monument. When accounting for state and private land, the perimeter of Bears Ears encompasses almost 1.5 million acres. Grand Staircase is 1.7 million acres.

The Secretary met with state, local, and Tribal stakeholders and toured the monument by air, car, foot, and horseback. He met with elected officials from Tribal, federal, state, and local communities. He also met with representatives from agriculture, conservation, historic preservation, and tourism sectors, as well as private citizens. The Secretary also held daily press briefings during the trip.

The Secretary met with the Bears Ears InterTribal Coalition while visiting Bears Ears National Monument on May 7, and the Acting Deputy Secretary held a four-hour follow-up meeting with the Bears Ears Commission and the InterTribal Coalition on May 25.

Prior to the trip to Utah in early May, Secretary Zinke opened up a formal public comment period where members of the public could submit their statements regarding all monuments to the Secretary. This was the first time ever that a formal public comment period was set up for monuments designated under the Antiquities Act.

“Local input is absolutely critical when it comes to federal land management decisions and as such, I’m extending the public comment period for Bears Ears. I want every advocate to have their voice heard,” said Secretary Zinke.

Due to the 120-day final review period for Bears Ears National Monument, the formal public comment period for Bears Ears will be extended through July 10th and will close with the overall comment period. Comments may be submitted on regulations.gov or by traditional mail. If an individual submitted a comment on Bears Ears during the initial comment period, they do not need to resubmit.

Executive Order 13792:

Executive Order 13792 of April 26, 2017 (82 FR 20429, May 1, 2017), directs the Secretary of the Interior to review certain National Monuments designated or expanded under the Antiquities Act of 1906, 54 U.S.C. 320301-320303 (Act). Specifically, Section 2 of the Executive Order directs the Secretary to conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of the order. Among other provisions, Section 1 states that designations should reflect the Act’s “requirements and original objectives” and “appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities.” 82 FR 20429 (May 1, 2017).

In making the requisite determinations, the Secretary is directed to consider:

- (i) the requirements and original objectives of the Act, including the Act’s requirement that

reservations of land not exceed “the smallest area compatible with the proper care and management of the objects to be protected”;

(ii) whether designated lands are appropriately classified under the Act as “historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest”;

(iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;

(iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;

(v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;

(vi) the availability of Federal resources to properly manage designated areas; and

(vii) such other factors as the Secretary deems appropriate.

82 FR 20429-20430 (May 1, 2017)

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